

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re Subpoena to Dave's Redistricting App

Cause No. MC22-0069RSL

REPRESENTATIVE JACEY JETTON and
ADAM FOLTZ,

Underlying case: *League of United Latin American Citizens v. Abbott*, No. 3:21-cv-0259 (W.D. Tex).

Movants,

ORDER

V.

UNITED STATES OF AMERICA,

Respondent.

On July 14, 2022, the United States served a subpoena on Dave’s Redistricting App to obtain documents over which movants had claimed legislative privilege in the underlying case. The recipient is prepared to comply with the subpoena on August 15, 2022, as directed. Movants seek a stay of the production to allow sufficient time for a court to consider the merits of their motion to quash. They also seek transfer of this matter to the Western District of Texas (the issuing court) under Fed. R. Civ. P. 45(f). The United States opposes the motion to stay and the motion to quash but consents to the motion to transfer. Dave’s Redistricting App takes no position on the motion to stay or the motion to quash and was not asked whether it opposes or consents to a transfer.

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The motion to stay the subpoena is GRANTED. Movants have raised colorable objections to the third-party subpoena that should be resolved before responsive documents are produced. The motion to transfer is DENIED. The recipient of the subpoena has not consented to having to litigate this matter in the Western District of Texas, and movants have not shown exceptional circumstances. The Clerk of Court is directed to note the motion to quash for consideration on Friday, August 26, 2022. The United States' response is due on or before Tuesday, August 23, 2022. Movants' reply, if any, is due on or before the note date.

Dated this 12th day of August, 2022.

Robert S. Lasnik
Robert S. Lasnik
United States District Judge